

**DEPARTMENT OF INSURANCE
STATE OF DELAWARE
841 SILVER LAKE BLVD.
DOVER, DELAWARE 19904**

**GENERAL INFORMATION AND ADMISSION REQUIREMENTS
FOR NON-DOMESTIC COMPANIES**

The following must be submitted in order to process an application for admission in the State of Delaware:

- 1) Non-refundable application fee of \$700 (subject to retaliatory tax). If a Fraternal company, \$25.00 fee to issue the Certificate of Authority. The \$700 fee does not apply for a Fraternal company.
- 2) Articles/Certification of Incorporation, certified by Home State.
- 3) By-laws and regulations, certified by Corporate Secretary.
- 4) Latest Report of Examination certified by the domiciliary state's Insurance Department. If the Report of Examination is more than three (3) years prior to the date of application for admission, the company is requested to submit its application at such time as a current Report of Examination is available.
- 5) Completed Form No. 3P (Application for Insurance Company Certificate of Authority), attached.
- 6) Certificate of Compliance from state of domicile reflecting the lines of insurance currently authorized; if the lines of insurance are not specifically identified in the certificate, provide an extract of the applicable insurance code defining the lines of insurance.

Capital and surplus requirements are based upon all of the kinds of insurance the company is qualified to transact in any and all areas in which it operates, whether or not any portion of such kinds of business is to be transacted in this State.

- 7) Annual Statements on NAIC approved form for two (2) years, along with latest Management Discussion & Analysis and Statement of Actuarial Opinion. Statements must be certified by the Insurance Department of the state of domicile.
- 8) Most recent CPA Audit Report.
- 9) Certificate of Deposit certified by domiciliary state's Insurance Commissioner.
- 10) Biographical Affidavit of each officer and/or director listed on the Jurat Page of the Annual Statement. In the letter of transmittal, please bring to the Department's attention if any of the officers and/or directors of the company have ever been convicted of any criminal activity, or if they have been

associated with any company, which has become or has been placed in receivership, and any other biographical information that should reasonably be disclosed.

- 11) A list of admissions fees and charges imposed by the state of domicile upon a like Delaware company making application thereto. Retaliatory fees will prevail when such state's requirements are more stringent than Delaware's. [18 Del. C. Section 532]
- 12) If the company applying for admission is an affiliate or wholly-owned subsidiary of a company presently licensed in Delaware for the same lines of business, it is requested that an explanation be given as to the business purpose to be served by the application of this company.
- 13) Two (2) each of all policy forms, rates and other related forms which are to be used in this State covering every kind of insurance coverage requested in the license application. Exceptions are made if the company is a member or subscriber to any approved organization or bureau on the list below which is authorized by the company to file policy forms on its behalf, provided the policy program is used without deviation.
 - A) Crop Hail Insurance Actuarial Association.
 - B) Factory Mutual Rating Bureau.
 - C) Insurance Advisory Bureau.
 - D) Insurance Services Office.
 - E) Mill and Elevator Rating Bureau.
 - F) Nuclear Insurance Rating Bureau.
 - G) Surety Association of America.
 - H) American Association of Insurance Services.
 - I) Delaware Compensation Rating Bureau.
- 14) For authority to write Workers' Compensation, membership in the Delaware Compensation Rating Bureau and the Industrial Accident Board is required.

Participation in the Delaware Employers' Workplace Health and Safety Incentive Program is required. The program will reward the employer for his/her conscientious efforts in reducing work-related injuries and illnesses by granting a premium credit to employers who maintain a recognizably health and safe workplace. A "healthy and safe workplace", will be determined by an inspection, at the insured's request, by a licensed consulting firm authorized by the Delaware Insurance Department. If the employer's workplace qualifies, then a premium credit would be applied on the next policy anniversary date. A follow-up inspection will be conducted to insure the employer's continuing compliance. The cost of the inspection will be paid by the employer.
- 15) For authority to write Vehicle, membership in the Delaware Automobile Insurance Plan (Assigned Risk Plan) is required. [21 Del. C. Section 2905]
- 16) For authority to write Property, membership in the Insurance Placement Facility of Delaware (FAIR Plan) is required. [18 Del. C. Section 4106]

- 17) Executed Power of Attorney (form attached).
- 18) Designation of person to receive Department bulletins, regulations, etc. (Form D-2 attached).
- 19) Designation of person for receipt of service of process (Form D-1 attached).
- 20) If Life company, Certificate of Valuation of Reserves.
- 21) If Reciprocal company, copy of Power of Attorney or Attorney-in-Fact (certified).
- 22) If Alien company, copy of appointment and authority of its U.S. Manager, certified by officer having custody of records.
- 23) Copy of Reinsurance Agreement(s).
- 24) Home State Questionnaire (copy attached).
- 25) Copy of Management or Exclusive Agency Contract(s).

Upon approval of the application, the Insurance Department will forward the following to the company:

- 1) Letter requesting \$100 issuance fee for Certificate of Authority, and annual Fraud Assessment fee of \$550.
- 2) Request for Surety and Worker's Compensation Special Deposits, if required.

Certificates of Authority are issued on a permanent basis, but must be continued annually by or on March 1, through payment of the annual continuation fee of \$100.

Contact: Donna Wysopal
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